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2644

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Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/228,710	CHOULDJIAN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Con P. Tran	2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 September 2002.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-28 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_ .
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a)  The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)           | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 18 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465

Regarding **claim 18**, Pickett teaches a method (see Fig. 1, 3, 3A, 8B, and respective portions of the specification) for a telecommunications interface for providing drive voltages for a plurality of telephones (see col. 6, lines 50-61) coupled thereto, the telecommunications interface also coupled to a computer system (see col. 7, lines 20-43), the computer system providing a first drive voltage and a second drive voltage to the telecommunications interface (see col. 32, lines 41-65), the method including:

receiving an enabling signal for the telecommunications interface from the computer system (see col. 17, lines 35-48);

generating a ringing drive voltage with the telecommunications interface in response to the first drive voltage and to the enabling signal (see col. 17, lines 35-48);

generating a first operational drive voltage for a telephone from the plurality of telephones within the telecommunications interface when a call is directly dialed call from the telephone trunk (see col. 6, line 62 – col. 7, line 11, and col. 32, lines 41-65);

generating a second operational drive voltage for the telephone within the telecommunication interface when an the call is directed to the telephone of the plurality of telephones is for the telephone (see col. 6, lines 51-61, and col. 32, lines 41-65); and

providing the second operational drive voltage to the telephone when the internally dialed call (see col. 12, lines 52-67).

It should be noted that Pickett does not explicitly specify a drive voltage for internally dialed call.

Nevertheless, as would have been well known in the art at the time the invention was made, the internally dialed call has shorter loop than the directly dialed call.

Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use a lower voltage for internally dialed call (e.g., -24 volts).

Regarding **claim 19**, Pickett further teaches a method (see Fig. 3, and respective portions of the specification) as claimed in claim 18 further comprising: providing the first operational drive voltage to the telephone when the call is a directly dialed call (see col. 13, lines 1-20).

3. **Claims 1, 8-9, 13-14, 17, 20-21, and 25-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Hall et al. U.S. Patent 4,406,004.

Regarding **claim 1**, Pickett teaches a method (see Fig. 2, 8A-8D, and respective portions of the specification) for providing power within a telephone server coupled to a computer system via an interface bus (see col. 7, lines 20-43), to a maximum number of telephones, and to a telephone trunk (see col. 6, lines 50-61), the computer system providing a primary voltage and a secondary voltage (see col. 32, lines 60-64), the method including:

receiving the primary voltage and the secondary voltage from the computer system (see col. 32, lines 60-64);

generating ringer power in response to the primary voltage (see col. 32, lines 60-64);

generating direct inward dialing power in response to the primary voltage, the direct inward dialing power configured to provide a first operational voltage for telephones from the maximum number of telephones, when the telephone receive telephone calls directly from the telephone trunk (see col. 31, lines 14-22);

generating second operational voltage in response to the primary voltage for telephones from the maximum number of telephones when the telephone receive telephone calls from other telephones from the maximum number of telephones (see col. 32, lines 60-64, and col. 16, lines 22-24); and

generating a ringing signal in response to the ringer power and to the secondary voltage (see col. 32, lines 60-64, and col. 12, lines 52-67);

wherein the peak voltage of the ringing signal is provided to a number of telephones at a time (see col. 32, lines 60-64, and col. 16, lines 22-24);

However, Pickett reference does not explicitly disclose a method wherein the peak voltage of the ringing signal is provided to no more than approximately one half of the maximum number of telephones at a time.

In the same field of endeavor, Hall et al. teaches a method wherein the peak voltage of the ringing signal is provided to no more than approximately one half of the maximum number of telephones at a time (see col. 20, line 51 - col. 21, line 62) in order to schedule ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group (see col. 2, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett reference a method as taught by Hall et al. since such combination would have scheduled ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group as suggested by Hall et al. in column 2, lines 35-37.

Regarding **claim 8**, Pickett further teaches the method of claim 1 (see Fig. 3A and respective portions of the specification) further comprising:

loading driver software for the telephone server (50) on the computer system (see col. 30, lines 13-23); and

configuring the telephone server with the driver software, before providing the ringer power (see col. 30, lines 13-23).

Regarding **claim 9**, Pickett teaches a telephone server coupled to a computer system via a computer bus (see Fig. 3A and respective portions of the specification), configured to provide output power and signals to a plurality of telephones, and to a telephone trunk, the computer system providing a primary voltage and a secondary voltage (see col. 29, line 60 - col. 30, line 12), the telephone server comprising:

a transformer circuit configured to receive the primary voltage and to provide first operational power in response to the primary voltage signal, to provide second operational power in response to the primary voltage (see col. 32, lines 60-64), and to provide ringer power in response to the primary voltage, the first operational power configured to power telephones that receiving telephone calls from the telephone trunk (see col. 29, line 60 - col. 30, line 12), the second operational power configured to power telephones that receive telephone calls from other telephones of the plurality of telephones (see col. 16, lines 12-24); and

ringer circuitry coupled to the transformer circuit configured to receive the ringer power, to receive the second voltage, and to provide e a ringing signal in response thereto (see col. 32, lines 60-64, and col. 16, lines 22-24);

However, Pickett reference does not explicitly disclose the transformer circuit provides the ringer power to no more than approximately one half a maximum number of telephones that may be coupled to the telephone server at a time.

In the same field of endeavor, Hall et al. teaches a telephone server (see Fig. 3 and respective portions of the specification), wherein a the peak voltage of the ringing signal is provided to no more than approximately one half of the maximum number of telephones at a time (see col. 20, line 51 - col. 21, line 10) in order to schedule ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group (see col. 2, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett reference a telephone server as taught by Hall et al. since such combination would have scheduled ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group as suggested by Hall et al. in column 2, lines 35-37.

Regarding **claim 13**, Hall et al. further teaches the telephone server of claim 9 (see Fig. 11, 12, and respective portions of the specification),

wherein the ringer circuitry is also configured to receive a ring enable signal (see col. 24, lines 43-56); and

wherein the ringing signal is configured to have a duty cycle of less than approximately 33 percent (see col. 20, line 51 - col. 21, line 10).

Regarding **claim 14**, Hall et al. further teaches the telephone server of claim 13 (see Fig. 3, and respective portions of the specification), wherein the ringer circuit is

configured to provide the ringer signal to no more than approximately one third the maximum number of telephones (see col. 20, line 51 - col. 21, line 10).

Regarding **claim 17**, Hall et al. further teaches the telephone server of claim 9 (see Fig. 3, and respective portions of the specification), further comprising:

wherein the transformer circuit (108) is also configured to receive an enabling signal from the computer system (see col. 22, lines 58-68); and

wherein the transformer circuit is also configured to provide the first operational power in response to the enabling signal (see col. 22, line 68 - col. 23, line 10).

Regarding **claim 20**, Pickett teaches a method as claimed in claim 18. However, Pickett reference does not explicitly disclose a method wherein the first operational drive voltage for the telephone is generated in response to the enabling signal.

In the same field of endeavor, Hall et al. teaches a method (see Fig. 11,12, and respective portions of the specification) wherein a first operational drive voltage for the telephone is generated in response to the enabling signal (see col. 22, lines 43-56) in order to schedule ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group (see col. 2, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett reference a method

wherein a first operational drive voltage for the telephone is generated in response to the enabling signal, as taught by Hall et al., since such combination would have scheduled ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group as suggested by Hall et al. in column 2, lines 35-37.

Regarding **claim 21**, Pickett teaches the method as claimed in claim 20 wherein providing a second operational drive to voltage for the telephone is generated in response to the enabling signal (see col. 24, lines 43-56).

Regarding **claim 25**, Pickett teaches a method as claimed in claim 18; wherein a maximum number of telephone from the plurality of telephones can be coupled to the telecommunications interface (see col. 16, lines 12-24, and col. 30, lines 60-64).

However, Pickett reference does not explicitly disclose a method wherein a peak voltage of ringing drive voltage is provided to no more than approximately one half of the maximum number of telephones at a time.

In the same field of endeavor, Hall et al. teaches a method (see Fig. 11,12, and respective portions of the specification) wherein the ringing drive voltage is provided no more than approximately one half of the maximum number of telephones at a time (see col. 20, line 51 - col. 21, line 10) in order to schedule ringing telephones on party lines

into frequency and voltage compatible group and to generate the proper ring signal for each group (see col. 2, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett reference a method as taught by Hall et al. since such combination would have scheduled ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group as suggested by Hall et al. in column 2, lines 35-37.

Regarding **claim 26**, Hall et al. further teaches the method of claim 25 (see Fig. 10, and respective portions of the specification), wherein the peak voltage of the ringing drive voltage is provided to no more than approximately one third of the maximum number of telephones at a time (see col. 20, line 51 - col. 21, line 10).

Regarding **claim 27**, Hall et al. further teaches the method of claim 26 (see Fig. 10, and respective portions of the specification), wherein a ring signal derived from the ring drive voltage has a duty cycle of less than approximately 33 percent (see col. 20, line 51 - col. 21, line 10)

4. **Claim 28** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Amoni et al. U.S. Patent 5,884,086.

Regarding **claim 28**, Pickett teaches a method as claimed in claim 18. However, Pickett does not explicitly disclose a method wherein the first operational drive voltage has a magnitude approximately twice a magnitude of the second operational drive voltage.

In the same field of endeavor, Amoni et al. teaches (see Fig. 2 and respective portions of the specification) a first operational drive voltage has a magnitude approximately twice a magnitude of the second operational drive voltage (see col. 4, lines 51-65) in order to operate seamless with non-auxiliary powered devices (see col. 4, lines 9-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett a first operational voltage as taught by Amoni et al. since such combination would have provided to operate seamless with non-auxiliary powered devices as suggested by Amoni in column 4, lines 9-10.

5. **Claims 2-6, and 10-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Hall et al. U.S. Patent 4,406,004, and further in view of Alderman U.S. Patent 4,578,542.

Regarding **claim 2**, Pickett in view of Hall et al. teaches the method of claim 1. Pickett in view of Hall et al. further teaches the peak voltage of the indicator light signal is provided to no more than approximately a half of the maximum number of telephones

at a time (see: Pickett col. 16, lines 20-30 and col. 42, lines 35-46; Hall col. 20, line 51 - col. 21, line 10).

However, Pickett and Hall in combination does not explicitly disclose generating an indicator light signal in response to the primary voltage.

In the same field of endeavor, Alderman teaches (see Fig. 1 and respective portions of the specification) an indicator light signal in response to the primary voltage (see col. 5, lines 11-28) in order to provide adequate light output (see col. 5, lines 27-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the combination of Pickett and Hall an indicator light as taught by Alderman since such combination would have provided adequate light output as suggested by Alderman in column 5, lines 27-28.

Regarding **claim 3**, Pickett in view of Hall et al. and further in view of Alderman further teaches the method of claim 1 further comprising:

wherein the indicator light signal applied to an indicator light has a duty cycle of approximately 50 percent (see: Pickett col. 16, lines 20-30 and col. 42, lines 35-46; Hall col. 20, line 51 - col. 21, line 10; Alderman col. 5, lines 11-28).

Regarding **claim 4**, Pickett in view of Hall et al. and further in view of Alderman further teaches the method of claim 1 further comprising:

generating indicator light voltage in response to the primary voltage; wherein the peak voltage of the indicator light voltage is provided no more than approximately a quarter of the maximum number of telephones at a time (see: Pickett col. 16, lines 20-30 and col. 42, lines 35-46; Hall col. 20, line 51 - col. 21, line 10; Alderman col. 5, lines 11-28).

Regarding **claim 5**, Pickett in view of Hall et al. and further in view of Alderman further teaches the method of claim 1 wherein the ringing signal is also in response to a ring enable signal and has a duty cycle of approximately 33 percent (see: Pickett col. 16, lines 20-30 and col. 42, lines 35-46; Hall col. 20, line 51 - col. 21, line 10; Alderman col. 5, lines 11-28).

Regarding **claim 6**, Pickett in view of Hall et al. and further in view of Alderman further teaches the method of claim 5 wherein a peak voltage of the ringing signal is provided to no more than approximately one third of the maximum number of telephones at a time (see: Pickett col. 16, lines 20-30 and col. 42, lines 35-46; Hall col. 20, line 51 - col. 21, line 10).

Regarding **claim 10**, this claim merely reflects the apparatus to the method claim of claim 2 and is therefore rejected for the same reasons.

Regarding **claim 11**, Pickett in view of Hall et al. and further in view of Alderman further teaches the telephone server of claim 10 wherein the indicator light circuitry is configured to provide an indicator light signal in response to the indicator light power (see Alderman col. 5, lines 11-28), wherein the indicator light signal is configured to have a duty cycle of less than approximately 25 percent (see Hall col. 20, line 51 - col. 21, line 10).

Regarding **claim 12**, Pickett in view of Hall et al. and further in view of Alderman further teaches the telephone server of claim 9 further comprising:

wherein the transformer circuit is also configured to provide the indicator light power in response to the primary voltage (see Alderman Fig. 1; col. 5, lines 11-28); and

wherein indicator light circuitry is configured to provide a peak voltage of the indicator light power to no more than approximately one half the maximum number of telephones (see Hall Fig. 10; col. 20, line 51 - col. 21, line 10).

6. **Claims 7 and 15-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Hall et al. U.S. Patent 4,406,004, and further in view of Amoni et al. U.S. Patent 5,884,086

Regarding **claim 7**, Pickett in view of Hall et al. teaches the method of claim 1.

However, Pickett in view of Hall does not explicitly disclose the first operational voltage is approximately twice the second operational voltage.

In the same field of endeavor, Amoni et al. teaches (see Fig. 2 and respective portions of the specification) a first operational voltage is approximately twice the second operational voltage (see col. 4, lines 51-65) in order to operate seamless with non-auxiliary powered devices (see col. 4, lines 9-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett in view of Hall a first operational voltage as taught by Amoni et al. since such combination would have provided to operate seamless with non-auxiliary powered devices as suggested by Amoni in column 4, lines 9-10.

Regarding **claim 15**, Pickett in view of Hall et al. teaches telephone server of claim 9.

However, Pickett in view of Hall does not explicitly disclose the first operational voltage is greater than the second operational voltage.

In the same field of endeavor, Amoni et al. teaches (see Fig. 2 and respective portions of the specification) a first operational voltage is greater than the second operational voltage (see col. 4, lines 51-65) in order to operate seamless with non-auxiliary powered devices (see col. 4, lines 9-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett in view of Hall a first

operational voltage that greater than the second as taught by Amoni et al. since such combination would have provided to operate seamless with non-auxiliary powered devices as suggested by Amoni in column 4, lines 9-10.

Regarding **claim 16**, Amoni et al. further teaches telephone server of claim 15 wherein the first operational voltage is approximately twice the second operational voltage (see col. 4, lines 51-65).

7. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Alderman U.S. Patent 4,578,542.

Regarding **claim 22**, Pickett in teaches the method as claimed in claim 18. However, Pickett does not explicitly disclose method further comprising: generating an indicator light drive voltage within the telecommunication interface in response to the primary voltage.

In the same field of endeavor, Alderman teaches (see Fig. 1 and respective portions of the specification) a method comprising generating an indicator light drive voltage within the telecommunication interface in response to the primary voltage (see col. 5, lines 11-28) in order to provide adequate light output (see col. 5, lines 27-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett reference an indicator

light as taught by Alderman since such combination would have provided adequate light output as suggested by Alderman in column 5, lines 27-28.

8. **Claims 23 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett U.S. Patent 6,154,465 in view of Alderman U.S. Patent 4,578,542 and further in view of Hall et al. U.S. Patent 4,406,004.

Regarding **claim 23**, Pickett and Alderman further teach the method as claimed in claim 22:

wherein a maximum number of telephone from the plurality of telephones can be coupled to the telecommunications interface (see Pickett, col. 16, lines 12-24 and col. 30, lines 60-64); and

wherein a peak voltage of the indicator light drive voltage is provided to indicator lights of a number of telephones at a time (see Alderman, col. 5, lines 11-28).

However, Pickett and Alderman in combination does not explicitly disclose method wherein the peak voltage of the indicator light drive voltage is provided to no more than approximately one half of the maximum number of telephones at a time.

In the same field of endeavor, Hall et al. teaches a method (see Fig. 3 and respective portions of the specification), wherein the indicator light drive voltage is provided to no more than approximately one half of the maximum number of telephones at a time (see col. 20, line 51 - col. 21, line 10) in order to schedule ringing telephones

on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group (see col. 2, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Pickett in view of Alderman a method as taught by Hall et al. since such combination would have scheduled ringing telephones on party lines into frequency and voltage compatible group and to generate the proper ring signal for each group as suggested by Hall et al. in column 2, lines 35-37.

Regarding **claim 24**, Alderman and Hall further teach the method as claimed in claim 23: wherein the peak voltage of the indicator light drive voltage is provided (see Alderman, col. 5, lines 11-28) to no more than approximately one quarter of the maximum number of telephones at a time (see Hall col. 20, line 51 - col. 21, line 10).

### ***Response to Arguments***

Applicant asserts on pages 5 and 6:

#### **A. Claim 18**

Pickett does not disclose, teach, or suggest all the limitations of Claim 18 to one of ordinary skill in the art. For example, Pickett does not disclose generating a first operational drive voltage for a telephone from the plurality of telephones within the telecommunications interface when a call directed to the telephone is a directly dialed call from the telephone trunk, and generating a second operational drive voltage for the telephone within the telecommunications interface when the call directed to the telephone is an internally dialed call from another telephone of the plurality of telephones.

As disclosed above, the Examiner admits that Pickett does not teach using two different operational voltages. Furthermore, the only disclosure that gives a rationale for using two different operational voltages is the present patent application. The Examiner has not given a reason why one of ordinary skill in the art would have even asked the hypothetical question he asked, or why the solution invented herein would be the only solution to the hypothetical question. Without further rational, it can be assumed that the Examiner is using impermissible hindsight to fill-in the gaps.

Thus in sum, Pickett does not teach at least the above limitation of claim 18 to one of ordinary skill in the art. Claim 18 is therefore asserted to be allowable for at least this reason.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In this case, as would have been well known in the art at the time the invention was made, the internally dialed call has shorter loop than the directly dialed call. Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use a lower voltage for internally dialed call (e.g., -24 volts instead of -48 volts).

9. Applicant further asserts in pages 6 and 7:

B. Claim 1

Pickett and Hall do not disclose, teach, or suggest all the limitations of Claim 1. For example, neither reference discloses generating direct inward dialing power in response to the primary voltage, the direct inward dialing power configured to provide a first operational voltage for telephones from the maximum number of telephones, when the telephones receive telephone calls directly from the telephone trunk, generating second operational voltage in response to the primary voltage for the telephones from the maximum number of telephones, when the telephones receive telephone calls from other telephones from the maximum number of telephones.

As disclosed above, Pickett makes no mention about providing two operational voltages, as recited. Further, the Examiner uses impermissible hindsight to provide the missing elements.

Further, Hall does not disclose generating a ringing signal in response to the ringer power and to the secondary voltage, wherein a peak voltage of the ringing signal is provided to no more than approximately one half of the maximum number of telephones at a time.

As discussed above, in Hall, ringing signals for all telephones are provided to all telephones phones all of the time. That is, peak voltages of a ringing signal for common party line telephones 1-4 are provided to telephone 1; ringing signals for telephones 1-4 are provided to telephone 2; and so on. As also discussed above, Hall relies upon each telephone to filter-out the ringing signals not meant for it, and only to ring on signals meant for it. Accordingly, in the example above, telephone 1 filters-out the ringing signal voltages it receives for telephones 2-4. What this implies is that a ringing circuit has to be large enough to put out ringing signal voltages to all party-line telephones. In contrast, the claim recites the peak voltage is provided to no more than approximately one half of the maximum number of telephones at a time.

Additionally, there is no motivation to combine Pickett and Hall. Merely because two references are in the same general endeavor, the Examiner cannot simply pick two references out of thin air and assert they should be combined. The Examiner must demonstrate that there is a motivation to combine these references. This critical demonstration is lacking. Furthermore it is not clear that Hall could actually be combined with Pickett, because the disclosure in Hall relates to multiple telephones on a multi-party line. Neither Pickett nor the present invention appear to discuss multi-party line issues.

Because Pickett and Hall fail to disclose at least the above limitations of claim 1. Claim 1 is therefore asserted to be allowable.

10. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Hall teaches a different ring cycle in column 21, lines 11-62.

Therefore, claims 1-28 are seen to be properly rejected and are being maintained by the Examiner.

### ***Conclusion***

11. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

### **Certificate of Mailing**

Art Unit: 2644

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents  
Washington, D.C. 20231

on \_\_\_\_\_.  
(Date)

Typed or printed name of person signing this certificate:

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Signature: \_\_\_\_\_

### Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) \_\_\_\_\_ - \_\_\_\_\_ on \_\_\_\_\_.  
(Date)

Typed or printed name of person signing this certificate:

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Signature: \_\_\_\_\_

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

**12. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran, whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT  
November 18, 2002

  
FORESTER W. ISEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600